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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO.        |
|---|-------------|----------------------|------------------------------|-------------------------|
| 09/834,514  | 04/13/2001  | James E. Greenwood   | 37861-150995 (9756-2)        | 5792                    |
| 23973   | 7590        | 07/07/2006           |                              |                         |
| DRINKER BIDDLE & REATH<br>ATTN: INTELLECTUAL PROPERTY GROUP<br>ONE LOGAN SQUARE<br>18TH AND CHERRY STREETS<br>PHILADELPHIA, PA 19103-6996 |             |                      | EXAMINER<br>FELTEN, DANIEL S |                         |
|   |             |                      | ART UNIT<br>3693             | PAPER NUMBER            |
|   |             |                      |                              | DATE MAILED: 07/07/2006 |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/834,514             | GREENWOOD ET AL.    |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Daniel S. Felten       | 3624                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 April 2006.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 3,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 3,15 and 16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Receipt of applicant's response filed April 06, 2006 electing claims 3, 15 and 16 from the election/restriction is acknowledged.

#### ***Response to Arguments***

2. Applicant's arguments filed April 06, 2006 regarding claim 3 have been fully considered but they are not persuasive. Claim 3 has been amended to recite in d, “*when a loan is granted, forming a loan record...managing the granted loan in loan accounting and processing component...*” Although Fraser discloses that the server maintains a database of *pending* loan applications (see Abstract), it is respectfully submitted that when lenders bid on certain criteria in loan applications, they are actually *granting* a loan based upon that accepted criteria when the bid is accepted (see Abstract). Fraser also discloses pending loan profiles and *completed* (emphasis added) loans for reporting by the administrative client which includes records of loan performances for profiles *which have been processed* (emphasis added) by the system (see col. 14, lines 37-48). It is maintained that a completed loan is a granted loan because in order to effectively have a loan, the criteria or terms of the loan must be mutually accepted by the lender and the borrower. It is maintained that a loan is not complete (or effective) unless it is granted. In other words, it is maintained that the “loan” is merely an application before it is completed, and that it only becomes a loan after it has been processed and put into effect. Thus for the following reasons the rejection of claim 3 is maintained. Rejection of claims 15 and 16 are found below.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fraser et al (US 5,995,947). The rejection of claim 3 has been discussed above and in the office action dated September 05, 2005.

Regarding claims 15 and 16, steps a-h and a-c either provide limitations found in within a manual loan process or limitations that one of ordinary skill in the art would expect in processing a loan. Thus official notice is taken of analyzing the borrower's creditworthiness for potential loan approval or disapproval, approving the borrower's loan request, receiving a signed commitment letter from the borrower, preparing loan documents...reviewing loan documents, etc., as being obvious extensions of the loan processing of Fraser as well as being a part of what one of ordinary skill in the art would expect within manual loan process.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Felten whose telephone number is (571) 272-6742. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel S Felten  
Examiner  
Art Unit 3624



DSF

June 20, 2006

